

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

AIG SPECIALTY INSURANCE	§	NO. 6:21-CV-04191-RRS CBW
COMPANY (f/k/a CHARTIS	§	
SPECIALTY INSURANCE	§	JUDGE ROBERT R SUMMERHAYS
COMPANY)	§	
	§	
VS.	§	MAGISTRATE CAROL B WHITEHURST
	§	
KNIGHT OIL TOOLS, INC.	§	
	§	

UNOPPOSED MOTION FOR EXTENSION OF TIME

NOW INTO COURT, through undersigned counsel, comes Intervenor, RIPPY OIL COMPANY (“Rippy Oil”), who respectfully represents as follows:

1.

On December 7, 2021, AIG Specialty Insurance Company (“AIG”) filed its complaint for declaratory judgment against Knight Oil Tools, Inc. (“KOT”). [R. Doc. 1]. Defendant KOT filed a waiver of service [R. Doc. 14] followed by an unopposed Motion for Extension of Time to File an Answer or Other Responsive Pleading. [R. Doc. 30]. KOT’s response is now due on March 14, 2022. [R. Doc. 31].

2.

On January 18, 2022, this Honorable Court granted leave for Rippy Oil to intervene and file a motion to dismiss the complaint of plaintiff AIG Specialty Insurance Company (“AIG”). [R. Doc. 12.] That same day, Rippy Oil filed its Motion to Dismiss. [R. Doc. 13.] As one basis for its Motion to Dismiss, Rippy Oil Company questions whether AIG has a live case or controversy with KOT that is ripe and therefore justiciable for declaratory relief determination. It remains to be seen whether KOT will likewise file a Motion to Dismiss.

3.

On February 1, 2022, AIG filed a motion to strike Rippy Oil's motion to dismiss. [R. Doc. 15]. Pursuant to the Court's Order, Rippy Oil's current deadline to oppose AIG's Motion is March 8, 2022. [R. Doc. 22].

4.

On February 10, 2022, ACE American Insurance Company ("ACE") filed a "Motion for Leave to File Complaint in Intervention." [R. Doc. 17.] Pursuant to the Court's Order, Rippy Oil's current deadline to oppose ACE's Motion to Intervene is also March 8, 2022. [R. Doc. 29.]

5.

Rippy Oil now respectfully requests a 7-day extension of time (or until March 15, 2022), to file an opposition to AIG's Motion to Strike and ACE's Motion to Intervene. This is the second extension requested by Rippy Oil.

6.

Good cause exists for the proposed extension. Concurrent with the filing of an opposition to AIG's Motion to Strike [R. Doc. 17.], Rippy Oil intends to file a motion to abstain and to dismiss, or in the alternative stay or transfer with supporting memorandum that should address the concerns in AIG's Motion to Strike. Further, Rippy Oil has agreed with AIG that any response by AIG to Intervenor's Motion to Dismiss can be filed in response to Rippy Oil's Memorandum of Law. Rippy Oil also recently retained bankruptcy attorney Kent Aguillard to assist with bankruptcy-related issues involved in its Motion to Dismiss. Additionally, attorney Kenneth Tekell, Sr. had unexpected major heart surgery on February 7, 2022, and has not recovered sufficiently to be actively involved in these issues, but is expected back the week of March 7, 2022. Recently, KOT filed its Petition for Review with the Texas Supreme Court and

the parties have entertained settlement negotiations. Rippy Oil believes that the Court and parties will benefit from KOT's response on March 14, 2022. Moreover, the Court has not issued a Scheduling Order in this case, so no other deadlines should be affected.

7.

Pursuant to Local Rules 7.4.1 and 7.9, as evidenced by the certificate located at the end of this motion, Rippy Oil has obtained consent for the filing and granting of this motion from all parties having an interest to oppose.

8.

Pursuant to Local Rule 7.4.1, no supporting memorandum or hearing is required unless otherwise directed by this Honorable Court.

WHEREFORE, premises considered, Intervenor, RIPPY OIL COMPANY ("Rippy Oil"), prays that this unopposed motion be granted and that Rippy Oil be granted an extension of time until March 15, 2022 to file an opposition to the "Motion to Strike Rippy Oil Company's Motion to Dismiss Complaint for Declaratory Judgment" [R. Doc. 15] and response to the "Motion for Leave to File Complaint-In-Intervention" [R. Doc. 17] filed by plaintiff ACE.

Respectfully submitted,

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ATTORNEYS FOR INTERVENOR, RIPPY
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CERTIFICATE OF SERVICE

I certify that on this 8th day of March, 2022, a true and correct copy of the foregoing instrument was served via electronic means through transmission facilities from the Court upon those parties authorized to participate and access the Electronic Filing System for the United States District Court, Western District of Louisiana.

/S/ James H. Gibson

JAMES H. GIBSON

LR 7.4.1 CERTIFICATE

Pursuant to Local Rule 7.4.1, I hereby certify that I have obtained consent for the filing and granting of this motion from all parties having an interest to oppose.

/S/ Mike Morris

MIKE MORRIS

LR. 7.9 CERTIFICATE

Pursuant to Local Rule 7.9, I hereby certify that there is no opposition to this request by plaintiff AIG Specialty Insurance Company.

/S/ Mike Morris

MIKE MORRIS